

Serial No.: 10/688,224
Examiner: Catherine S. Williams
Group Art Unit: 3763

STATUS OF CLAIMS

Claims 1-28 are presently pending.

Claims 4 and 18-28 were withdrawn as belonging to a non-elected species.

Claims 1-3 and 5-17 are currently under examination, of which claims 1, 3, and 5-7 are considered generic.

REMARKS

In the Office Action, Applicant is requested under 35 U.S.C. 121 to elect a species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1, 3, and 5-7 are considered generic. The species listed in the Office Action are as follows:

Species A: antimicrobial substrate being a rod; and

Species B: antimicrobial substrate being a fluid.

Applicant hereby elects Species A and its associated description for further prosecution on the merits. Claims 8-12, and 14-17 are readable upon Species A.

Applicant acknowledges that upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141.

CONCLUSION

Applicants respectfully submit that all pending claims are in condition for allowance, early notification of which is earnestly solicited. Should the Examiner be of the view that an interview would expedite the application at large, request is made that the Examiner telephone the undersigned attorney at (908) 518-7700, ext. 7 in order to resolve any outstanding issues. The Office is authorized to charge any fees required to deposit account number 50-1047.

Serial No.: 10/688,224
Examiner: Catherine S. Williams
Group Art Unit: 3763

FEES

The Office is authorized to charge any fees required, to deposit account number 50-1047.

Respectfully submitted,



Keum J. Park
Registration No. 42,059

Attorney for Applicant
Mayer & Williams, PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090
Tel.: 908-518-7700, ext. 7
Fax: 908-518-7795

Certificate of Facsimile Transmission

I hereby certify that this correspondence and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 571-273-8300 on 2/15/06.

Marjorie Scariati
(Printed Name of Person Sending Correspondence)
Marjorie Scariati
(Signature)